

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

DESMOND TOLBERT §
v. § CIVIL ACTION NO. 9:07cv77
ST. PATRICK SCHOOL, ET AL. §

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that the complaint be dismissed without prejudice for failure to prosecute. No written objections have been filed. Accordingly, the findings and conclusions of the Magistrate Judge are hereby adopted as those of the Court.

In light of the foregoing, it is

ORDERED that the complaint is hereby **DISMISSED** without prejudice for failure to prosecute pursuant to Fed.R.Civ.P. 41(b). Any motion not previously ruled on is **DENIED**.

So **ORDERED** and **SIGNED** this **2** day of **July, 2007**.



Ron Clark, United States District Judge